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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,588	12/27/2000	Adam T. Lake	42390P10255	1641

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EXAMINER

AWAD, AMR A

ART UNIT

PAPER NUMBER

2675

DATE MAILED: 07/20/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,588

Applicant(s)

LAKE ET AL.

Examiner

Amr Awad

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shrader (US patent NO. 6,639,582) in view Shaw et al. (US Patent NO. 6,525,711; hereinafter referred to as Shaw).

As to independent claim 21, Shrader (figures 1 and 3-6) teaches an apparatus that includes a first haptel (board 24 consists of rods 19) to generate a signal in response to a stimulus (user's finger 27 or hand 29) (col. 4, lines 13-17), a transmitter (Internet 17) to transmit the signal (col. 3, lines 28-34, step 64 of figure 6 and col. 5, lines 22-25), a receiver (computer 11 in the second terminal 2) to receive the signal from the transmitter, and a second haptel (board 25 consists of rods 19 on the second terminal) to reproduce the stimulus responsive to the signal (col. 5, lines 11-53).

Shrader does not expressly teach that the stimulus for generating a signal by the first haptel is associated with a temperature.

However, Shaw teaches a haptic interface device wherein the stimulus to generate a signal is associated with a temperature (col. 8, lines 1-6).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Shaw having the haptic

Art Unit: 2675

interface corresponds to the temperature, to be incorporated to Shader's device so as to increase the versatilities of the device by having it used in automobile environment, or other environments that uses temperature as factor. Having the temperature as a factor is also simply based on the tasks that the device would be used for as taught by Shaw (col. 7, line 58 through col. 8, line 6).

As to claim 22, as can be seen in figure 1, Shrader shows that the first haptel (24) includes an array of haptels (19) to create haptel display.

As to claim 23, Shrader (figures 1, 3 and 5) teaches that the stimulus (user's touch by a finger or hand) consisting of a force (the finger or hand touch) and a pressure (col. 4, lines 14-23).

As to claim 24, Shrader teaches that the first and second haptels (24 and 25) are touchpads, which are qualified as computer system pointing-device (col. 3, lines 28-33).

As to claim 25, Shrader teaches that the second haptel (25) is configured with an information transmission system (computer 11).

As to independent claim 26, Shrader teaches a method that includes, subjecting a first haptel (board 24 consists of rods. 19) to a stimulus (user's touch by a finger 27 or hand 29), creating a haptel signal responsive to the subjecting (col. 4, lines 13-17), transmitting (via Internet) the haptel signal (col. 3, lines 28-34, step 64 of figure 6 and col. 5, lines 22-25), receiving the haptel signal and reproducing the stimulus on a second haptel (25) in response to the haptel signal (col. 5, lines 11-53).

Shrader does not expressly teach that the stimulus for generating a signal by the first haptel is associated with a temperature.

Art Unit: 2675

However, Shaw teaches a haptic interface device wherein the stimulus to generate a signal is associated with a temperature (col. 8, lines 1-6).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Shaw having the haptic interface corresponds to the temperature, to be incorporated to Shader's device so as to increase the versatilities of the device by having it used in automobile environment, or other environments that uses temperature as factor. Having the temperature as a factor is also simply based on the tasks that the device would be used for as taught by Shaw (col. 7, line 58 through col. 8, line 6).

As to claim 27, as can be seen in figure 1, Shrader shows that the first haptel (24) and the second haptel (25) include an array of haptels (19) to create haptel display.

As to claim 28, Shrader (figures 1, 3 and 5) teaches that the stimulus (user's touch by a finger or hand) consisting of a force (the finger or hand touch) and a pressure (col. 4, lines 14-23).

As to claim 29, Shrader teaches that the first and second haptels (24 and 25) are touchpads, which are qualified as computer system pointing-device (col. 3, lines 28-33).

Application/Control Number: 09/752,588 Page 4

Art Unit: 2675

As to claim 30, Shrader teaches that the first and second haptels (24 & 25) are configured with an information transmission system (computer 11).

As to independent claim 31, Shrader (figures 1 and 3-60 teaches an apparatus including a first haptel (24) wherein a first signal is generated in response to subjecting

Art Unit: 2675

the first haptel to a first stimulus (steps 61-63 of figure 6) to be reproduced on a second haptel (25) (step 65 of figure 65), and the first haptel is responsive to a second signal of a second stimulus (steps 66-71 of figure 6), such that haptic data is rendered on the first haptel in response to the second signal to reproduce the second stimulus (col. 5, lines 11-53).

Shrader does not expressly teach that the stimulus for generating a signal by the first haptel is associated with a temperature.

However, Shaw teaches a haptic interface device wherein the stimulus to generate a signal is associated with a temperature (col. 8, lines 1-6).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Shaw having the haptic interface corresponds to the temperature, to be incorporated to Shader's device so as to increase the versatilities of the device by having it used in automobile environment, or other environments that uses temperature as factor. Having the temperature as a factor is also simply based on the tasks that the device would be used for as taught by Shaw (col. 7, line 58 through col. 8, line 6).

As to claim 32, as can be seen in figure 1, Shrader shows that the first haptel (24) and the second haptel (25) include an array of haptels (19) to create haptel display.

As to claim 33, Shrader (figures 1, 3 and 5) teaches that the stimulus (user's touch by a finger or hand) consisting of a force (the finger or hand touch) and a pressure (col. 4, lines 14-23).

Art Unit: 2675

As to claim 34, Shrader teaches that the first and second haptels (24 and 25) are touchpads, which are qualified as computer system pointing-device (col. 3, lines 28-33).

As to claim 35, Shrader teaches that the first and second haptels (24 & 25) are configured with an information transmission system (computer 11).

As to independent claims 36-40; apparatus of claims 31-35 corresponds to method of claims 36-40, and would be analyzed as previously discussed with respect to claims 31-35.

Response to Arguments

Applicant's arguments with respect to claims 21-40 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


Art Unit: 2675

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amr Awad whose telephone number is (703)308-8485. The examiner can normally be reached on Monday through Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703)305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


7-15-2004

A. A.